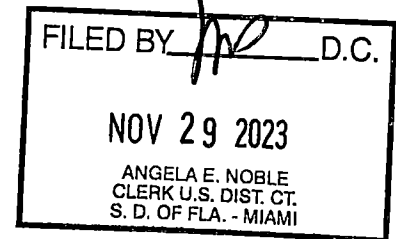


IN THE UNITED STATES DISTRICT COURT IN  
AND FOR THE UNITED STATE OF AMERICA  
SOUTHERN DISTRICT OF FLORIDA

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Federal Rules of Civil Procedure Rule 8  
General Rules of Pleading  
COMPLAINT

Jean-Elie Uriel Charlemagne,  
Plaintiff,



Vs.

THE STATE OF FLORIDA,  
**DEFENDANT(S) STATE OF FLORIDA:**  
MOODY, ASHLEY, ATTORNEY GENERAL  
FRIED, NICOLE, COMMISSIONER DEPARTMENT OF AGRICULTURE  
RUNDLE, KATHERINE, FERNANDEZ, MIAMI-DADE STATE ATTORNEY  
MIRANDA, CRISTINA M. CIRCUIT ADMINISTRATOR  
BERNSTEIN, SCOTT, M. ASSOCIATE ADMINISTRATIVE JUDGE  
TRIANA, J. PUBLIC DEFENDER  
GUIDO, J. PUBLIC DEFENDER  
GALE, J. ASSISTANT STATE ATTORNEY  
ELDEN, D. ASSISTANT STATE ATTORNEY  
PENN L, ASSISTANT STATE ATTORNEY  
PEREZ, N. ASSISTANT STATE ATTORNEY  
VALLE, G. ASSISTANT STATE ATTORNEY  
MANTRANA, K. COURT REPORTER  
LACALLE, N. COURT ID: 030-04632 05042  
JOHNS, J. COURT ID: 030-02656 05042  
BODAN, DAYRA, DOCTOR  
**MIAMI-DADE CORRECTIONS**  
REYES, JAMES DIRECTOR  
**TURNER GUILFORD KNIGHT CORRECTIONAL CENTER:**  
REGINA, SHAW, CAPTAIN  
**METRO WEST DETENTION CENTER:**  
SUMMONS, SAFANI, CAPTAIN  
**PRE-TRIAL DETENTION CENTER**  
PEREZ, AMAURY, CAPTAIN  
**MIAMI DADE COUNTY:**  
  
**CITY OF NORTH MIAMI:**  
ESQ. CAZEAU, JEFF. NORTH MIAMI CITY ATTORNEY  
ESQ. WARREN, L. JENNIFER. NORTH MIAMI DEPUTY CITY ATTORNEY  
**NORTH MIAMI POLICE DEPARTMENT:**  
JURIGA, LARRY CHIEF

ELIAS MARC JR. FORMER CHIEF  
BURGESS LEONARD, FORMER CHIEF OF NORTH MIAMI POLICE DEPARTMENT  
ASSISANT CHIEF  
SHINN, TREVOR. MAJOR  
ROMAN, DIANA. SERGEANT  
BROOKS, KESSLOR. NORTH MIAMI POLICE OFFICER BADGE# 356  
HOLLANT, NORTH MIAMI POLICE OFFICER BADGE# 334  
UNMUTH, STEVE. NORTH MIAMI POLICE OFFICER DEP.006 ID.00305  
EGUTIERREZ, NORTH MIAMI POLICE OFFICER  
THOMPSON, NORTH MIAMI POLICE OFFICER BADGE #386  
KORELISHN, CRYSTAL. NORTH MIAMI POLICE OFFICER DEP.006 ID .00386  
BLEMUR, WEBSTER. NORTH MIAMI POLICE OFFICER DEP.006 ID.00412

1:16-CV-20172-KMM  
Writ Of Prohibition case 2019-1176  
3D15-2560  
3D15-2893

COMPLAINT/ARREST AFFIDAVIT NO: 1100113157

POLICE CASE NUMBER 2015000323874

POLICE CASE NUMBER 151218472845

FELONY CASE NO: F15014152

STATE CASE NUMFELONY CASE NO: F15-014151-A

STATE CASE NUMMBER 13-2015-CF-014151-B000-XX

FILE SECTION = F007

STATE CASE NUMJAIL NUMBER 150017787

JAIL NMBER 1500160293

JAIL NUMBER 150160283

CITATION NUMBER A48AZ8E

CITATION NUBMBER A48AZ9E

CITATION NUMBER A48AZAE

CITATION NUMBER A48AZDE

CITATION NUMBER A48AZCE

CITATION NUMBER A48AZBE

Accused Jean-Elie Uriel Charlemagne comes in Propria Persona, Plaintiff(s) to enter an order to move THE UNITED STATES DISTRICT COURT IN AND FOR THE UNITED STATE OF AMERICA SOUTHERN DISTRICT OF FLORIDA to enter an Order of JEAN-ELIE URIEL CHARLEMAGNE DISMISSING THE ABOVE CASE NO: F15014151-A, AND AT THE SAMETIME ENTERING JEAN-ELIE URIEL CHARLEMAGNE'S COUNTER CLAIM AGAISNT THE STATE OF FLORIDA ACCORDING TO JEAN-ELIE URIEL CHARLEMAGNE'S FINANCING STATEMENT, DVD'S OF VIDEO TESTIMONIES, ALSO AFFIDAVIT OF TURTH THAT WAS SENT TO ALL NORTH MIAMI POLICE OFFICERS INVOLVED THAT STAND UNREBUTTED ON THE PUBLIC RECORD.

**28 U.S.C.A. SECTION 1331. FERDERAL QUESTION**

*The district courts shall have original jurisdiction of all civil actions arising under the Constitution, laws, or treaties of the United States.*

**28 U.S.C.A SECTION 1332. Diversity of citizenship; amount in controversy; cost**

*(a) The district courts shall have original jurisdiction of civil actions where the matter in controversy exceeds the sum value \$75,000, exclusive or interest and cost and between...*

*(2) The district courts shall have original jurisdiction of any civil action in the matter of controversy exceeds the sum of value of \$5,000,000, exclusive of interest and cost, and is a class action in which...*

**CLAIM FOR RELIEF**

1A.- The Accused were riding their bicycles when people in unmarked cars under the color of law began harassing Accused for allegedly running red traffic lights. The Accused Jean-Elie Uriel Charlemagne spent 22 days in jail. The Accused Emmanuel Michael Charlemagne spent 26 days in Jail. Accused missed quality time with family, unscheduled time from work, relationship with employer has been negatively affected ever since arrest(s), had to use vacation time in order not get fired, has lost job opportunities, lost of romantic opportunities, bared from exercising 2<sup>nd</sup> Amendment right, deprived of liberties, properties, and the right to pursuit of happiness.

2A.- The Accused is entitled to relief because Jean-Elie Uriel Charlemagne was falsely arrested on December 18, 2015, and spent 7 days in jail.

3A.- The Accused is entitled to relief because Jean-Elie Uriel Charlemagne was falsely arrested on July 10, 2015.

4A.- *DEMANDS: A 12 men/women jury. 12 men/women jury has always been demanded from the onset.*

*DEMANDS: \$101,354,995.28 for Jean-Elie Uriel Charlemagne's time spent in jail \$4,607,045.24/per day.*

*DEMANDS: \$32,249,316.68 for Jean-Elie Uriel Charlemagne's time spent in jail*

**DAMAGES AWARDED**

*TREZEYANT V. CITY OF TAMPA, 741 F2d 336 (11<sup>th</sup> Cir. 1984) Motorist illegally held for 23 minutes on a traffic charge was awarded \$25,000 in damages. (Sets foundation for \$75,000/hr., \$1,600,000/day)  
Adjusted for inflation for 2023: (Sets foundation for \$215,955.25/hr., \$4,607,045.24/day)*

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A.- This Honorable Court has original Jurisdiction because the following cause of action arises under the Constitution of the United States Of America, laws, and treaties of the United States Of America for the following reason(s):

28 U.S.C.A. SECTION 1331. FERDERAL QUESTION  
28 U.S.C.A SECTION 1332

1.- Bill of Rights – re; ‘Right to Life, Liberty and Pursuit of Happiness

Violation of Accused's	1 <sup>st</sup> Amendment Rights
Violation of Accused's	2 <sup>nd</sup> Amendment Rights
Violation of Accused's	4 <sup>th</sup> Amendment Rights
Violation of Accused's	5 <sup>th</sup> Amendment Rights
Violation of Accused's	6 <sup>th</sup> Amendment Rights
Violation of Accused's	7 <sup>th</sup> Amendment Rights
Violation of Accused's	8 <sup>th</sup> Amendment Rights
Violation of Accused's	9 <sup>th</sup> Amendment Rights
Violation of Accused's	10 <sup>th</sup> Amendment Rights
Violation of Accused's	14 <sup>th</sup> Amendment Rights
Violation of Accused's	15 <sup>th</sup> Amendment Rights § 1

B. Thirteenth Amendment of the Constitution of the United States;

c. Title 18 USC Section 1581;

d. Title 42 USC Section 1994;

e. Title 42 U.S.C.A SECTION 1983.

e. Article 6 of American Convention of Human Rights

2.- Violation of Constitutional Secured Rights

3.- Violation of Civil Rights

4.- Violation of Miranda Rights

5.- Malicious Prosecution, gross negligence, great indifference to persons, property, or the rights of Jean-Elie Uriel Charlemagne and Emmanuel Michael Charlemagne. 768.73 Punitive damages; limitation Shidlow v. National Car Rental Systems, Inc., 344 So. 2d 903 (Fla. 3d DCA 1977) cert denied, 355 So.2d 516 (1978), Burns v. GCC Beverages, Inc., 502 So.2d 1217 (Fla. 1986); Adam v. Whitfield, 290 So.d 49 (Fla. 1974)

6.- Jean-Elie Uriel Charlemagne's unlawful imprisonment from July 10, 2015 to August 2, 2015. Title 42 U.S.C.A SECTION 1983.

7.- Jean-Elie Uriel Charlemagne's unlawful arrest on July 10, 2015. Title 42 U.S.C.A SECTION 1983.

8.- Jean-Elie Uriel Charlemagne sent motion to dismiss under rule 12(b) for lack of Jurisdiction, failure to state a claim upon which relief can be granted, Motion of Judicial Notice, Motion to Discharge Public Defender, Motion (In Limine) to include evidence all was sent on the 10/03/2015.

9.- Jean-Elie Uriel Charlemagne sent motion to reconsider under rule 3.192 Fla. R. Crim. P.

10.- Jean-Elie Uriel Charlemagne sent motion for a rehearing under rule 3.192 Fla. R. Crim. P.

11.- Public defender(s) was appointed against the will of Jean-Elie Uriel Charlemagne.

12.- Public defender(s) was and has been completely ineffective.

13.- Jean-Elie Uriel Charlemagne sent a fax to Cristina Miranda's chambers on 10-10-2015 to have motion to dismiss under rule 12(b) for lack of Jurisdiction, failure to state a claim upon which relief could be granted, Motion of Judicial Notice, Motion to Discharge Public Defender, Motion (In Limine) to include evidence to be heard on 10-13-2015 before the trial.

14.- Administrator Cristina Miranda struck motion to dismiss under 12(b) for lack of Jurisdiction, failure to state a claim upon which relief could be granted out of the court records arbitrarily.

15.- Administrator Cristina Miranda did not rule on the Motion of Judicial Notice, Motion to Discharge Public Defender, Motion (In Limine) to include evidence.

16.- Administrator Cristina Miranda ordered the Accused to be evaluated to see if the Accused is competent evaluation of defendant for mental illness pursuant to section 916.115, Florida statutes and Fla. R. Crim. P. 3.211 by Dr. Dayra Bodan.

17.- All of this is a cumulative effect of "Constitutional error" and materially harmful thus far.

18.- Jean-Elie Uriel Charlemagne has been out on bond since Jean-Elie Uriel Charlemagne was release on or about August 1, 2015.

19.- Jean-Elie Uriel Charlemagne attempted to address the bond issue on 10-13-2015, but the court said that because I was addressing the court In Propria Persona the court could not address the issue of the bond unless the Jean-Elie Uriel Charlemagne agreed to address the court in Pro Se.

20.- On December 14, 2015 Jean-Elie Uriel Charlemagne reluctantly under Administrator's abuse of Judicial Power court order went to Dr. Dayra Bodan's office Therapeutic Alliance Miami, Virginia Gardens, Florida 33166, Phone 305-871-3131 to attempt to complete the competent evaluation.

21.- On or about December 13, 2015 Jean-Elie Uriel Charlemagne sent a notarized letter to Therapeutic Alliance addressed to Dr. Dayra Bodan at Miami Virginia Gardens, Florida 33166, Phone number 305-871-3131.

22.- The letter stated Jean-Elie Uriel Charlemagne's intentions, and his desire to not be arrested based on ex parte communications between Cristina Miranda and Dr. Dayra Bodan for not following "Court Order".

23.- On December 18, 2015 Jean-Elie Uriel Charlemagne was arrested in open court by Cristina Miranda for Contempt of Court. Jean-Elie Uriel Charlemagne spent 7 days in jail.

24.- Insufficiency of service of Administrator Cristina Miranda's summons to Jean-Elie Uriel Charlemagne.

25.- Violation of Jean-Elie Uriel Charlemagne's due process rights.

26.- Jean-Elie Uriel Charlemagne no longer feels safe riding his bicycle on the streets of Miami-Dade, North Miami, and Miami as a whole because of fear of direct or indirect retaliation from the above public servant(s) for asserting the above claims.

27.- Jean-Elie Uriel Charlemagne has been denied employment by Pizza Hut 12699 NE 6<sup>th</sup> Avenue, North Miami, FL 33161 because of background check that found the \$5,000,000 arrest warrant.

28.- Jean-Elie Uriel Charlemagne has been denied a Security license from Florida Department of Agriculture and Consumer Services because I was a "WANTED PERSON".

29.- Jean-Elie Uriel Charlemagne has been denied a conceal weapons license from Florida Department of Agriculture and Consumers Services.

30.- Jean-Elie Uriel Charlemagne was arrested by Sheriff Charleston County in James Island in South Carolina case number 2022-009574 on July 20<sup>th</sup>, 2022 because of the \$5,000,000 dollar warrant.

31.- Jean-Elie Uriel Charlemagne was almost arrested while repatriating into the United States of America while going through immigration in New York JFK Airport October 2022.

32.- Jean-Elie Uriel Charlemagne was denied the right to do commerce to purchase guns by the FDLE Firearm Purchase Program non-approval number 27547055N.

33.- Jean-Elie Uriel Charlemagne was not able to attend (Mother) Marie Angelique Charlemagne's funeral in Haiti because of fear of being arrested by immigration due to the \$5,000,000 dollar warrant.

34.- Cristina Miranda's baseless, unjustifiable, and unreasonable \$5,000,000 million dollar warrant entitles Jean-Elie Uriel Charlemagne to relief.

35.- A substantial likelihood exist that Jean-Elie Uriel Charlemagne will prevail in this action, because facts obtained by discovery will reveal that State of Florida has carried out similar Constitutionals violations and have caused serious irreparable harm to others.

36.- Jean-Elie Uriel Charlemagne never committed any felonious acts within any of the original charges or since.

37.- Jean-Elie Uriel Charlemagne was never given an evidentiary hearing.

38.- The Great State of Florida never had an important interest in prosecuting Jean-Elie Uriel Charlemagne in the above Felony charges F15014151-A.

39.- Jean-Elie Uriel Charlemagne has establish that Plaintiff has never been afforded any meaningful or responsive responses about violations of Federal Constitutional claims.

40.- Jean-Elie Uriel Charlemagne has established that he cannot have Federal Constitutional Claims safeguarded and addressed within State Courts.



41.- The State Court and the Appellate Courts of Appeal are not addressing any of Petitioner's claims because of want to avoid Petitioner's ability of exhausting and ripping Petitioner's claims.

Federal Rules of Civil Procedure Rule 8 General Rules of Pleading COMPLAINT rendered on the 6<sup>th</sup> day of November 2023. All parties to said cause are called to take notice of entry of Federal Rules of Civil Procedure Rule 8 General Rules of Pleading COMPLAINT. I, Jean-Elie Uriel Charlemagne certify that I have this date served a true and correct copy of the foregoing notice of Federal Rules of Civil Procedure Rule 8 General Rules of Pleading COMPLAINT upon the State Attorney Office, 1350 N.W. 12<sup>th</sup> Avenue, Miami, Florida 33136-2111.

#### Verification

The Undersigned Affiant Jean-Elie Uriel Charlemagne does herewith swear, declare, and affirm that Affiant issues this **COMPLAINT** with sincere intent and in good faith, that Affiant is competent to state the matters set forth herein, that the contents are true, correct, and admissible as evidence, and reasonable and just to the best of Affiant's knowledge.

WHEREFORE the Accused Jean-Elie Uriel Charlemagne moves THE UNITED STATES DISTRICT COURT IN AND FOR THE SOUTHERN DISTRICT OF FLORIDA to enter an Order DISMISSING THE ABOVE CASE NO: F15-0114151, AND AT THE SAMETIME ENTERING JEAN-ELIE URIEL CHARLEMAGNE'S COUNTER CLAIM AGAISNT THE STATE OF FLORIDA ACCORDING TO JEAN-ELIE URIEL CHARLEMAGNE'S, FINANCING STATEMENT ATTACHED HEREIN, DVD'S OF VIDEO TESTIMONIES, ALSO AFFIDAVIT OF TRUTH THAT WAS SENT TO ALL OFFICERS INVOLVED THAT STAND UNREBUTTED ON THE PUBLIC RECORD, AND ANY FURHTER RELIEF AS THE COURT MAY DEEM REASONABLE AND JUST UNDER THE CIRCUMSTANCES...

Further Affiant Sayth Not.

Done this 3<sup>rd</sup> day of April 2023 A.D.

Jean-Elie Uriel Charlemagne

Jean-Elie Uriel Charlemagne, Executor, Sui Juris, one of the private man on the land, non-combatant, and American by birth, a child of the Living God, Grantor, Executor/Creditor

SUBSCRIBED TO AND SWORN before me this 3<sup>rd</sup> day of April, A.D. 2023, a Notary, that Jean-Elie Uriel Charlemagne, personally appeared and known to me to be the living breathing man whose name subscribed to the within instrument and acknowledged to be the same, Dh Fransley Hippolite Seal; Notary Public in and for said State





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Emmanuel Michael Charlemagne  
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North Miami, Florida 33161  
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Email: j76777879@yahoo.com

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